



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
1001 "I" Street, 25th Floor
P.O. Box 806
Sacramento, California 95812-0806

Gray Davis
Governor

December 19, 2001

Mr. Scott Goldie
Senior Vice President
Pacific Bay Homes, LLC
701 Southampton Road, Suite 209
Benicia, California 94510

Mr. Bruce Handel
Project Coordinator
United States Army Corps of Engineers
1325 J Street
Sacramento, California 95814

Dear Mr. Goldie and Mr. Handel,

The Department of Toxic Substances Control (DTSC), as Lead Agency, hereby certifies the Final Environmental Impact Report (EIR) for the Tourtelot Remediation/Cleanup Project.

The California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines require the preparation of an EIR for certain public and private sector projects requiring discretionary actions by California's governmental agencies. The discretionary authority to approve a remediation project resides with DTSC.

DTSC issued a Draft EIR on September 12, 2001 for the Tourtelot Remediation/Cleanup project to the State Clearinghouse, interested jurisdictions, public agencies, organizations and individuals for review and comment. DTSC conducted a public hearing on September 25, 2001; at which time all those wishing to comment on the Draft EIR were afforded the opportunity to be heard. After the conclusion of the public hearing, the record was closed to oral testimony. DTSC continued to receive written comments until October 29, 2001. All oral and written comments on the Draft EIR were responded to in the Final EIR. The Final EIR consists of the Draft EIR and appendices, the Revisions to the Draft EIR, the Response to Comments Document, and the Mitigation Monitoring Program (MMP).

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

CERTIFICATION OF THE FINAL EIR

DTSC makes the following certifications for the Final EIR for the Tourtelot Remediation/Cleanup Project:

1. The EIR has been completed in compliance with CEQA.
2. The EIR is adequate.
3. The EIR was presented to DTSC and that DTSC reviewed and considered the information contained in the EIR before approving the remediation project.
4. The EIR reflects the independent judgement and analysis of DTSC.

ADOPTION OF MITIGATION MONITORING PROGRAM

An MMP on the Tourtelot Remediation/Cleanup Project has been prepared in conformance with Section 21081.6 of the California Public Resources Code, and DTSC hereby adopts said Program. This MMP is included as Section 4 of the Final FEIR.

ADOPTION OF FINDINGS

Findings regarding potentially significant impacts will be made in conformance with section 21081 of the Public Resources Code and section 15091 of the CEQA Guidelines prior to project approval.

NOTICE OF DETERMINATION

A Notice of Determination will be completed in conformance with section 15075 of the CEQA Guidelines and filed with the State Clearinghouse of the Governor's Office of Planning and Research.

The Revisions to the Draft EIR, the Response to Comments and the MMP will be issued to you shortly.

Sincerely,

Original signed by

Mr. James McRitchie, Chief
Office of Environmental Analysis, Regulations and Audits

cc: see next page

Mr. Scott Goldie
December 19, 2001
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cc: The Honorable Steve Messina
Mayor of the City of Benicia
150 East L Street
Benicia, California 94510

Ms. Heather McLaughlin
City Attorney
City of Benicia
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